



City of Alexandria
MEMORANDUM

DATE: FEBRUARY 26, 2007

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: JAMES K. HARTMANN, CITY MANAGER 

FROM: BERNARD CATON, LEGISLATIVE DIRECTOR 

SUBJECT: FINAL STATUS REPORT ON LEGISLATION INTRODUCED AT THE 2007 GENERAL ASSEMBLY SESSION

ISSUE: Final status report on legislation introduced at the 2007 General Assembly Session.

RECOMMENDATION: That City Council receive this report.

DISCUSSION: The 2007 General Assembly Session adjourned on February 24. Of the 2,294 bills that were introduced during the Session, 958 were enacted into law and 1336 were defeated. In addition, nearly 772 resolutions, most of which commend a person or a group or memorialize someone's death, were also considered during the 2007 Session. Not surprisingly, the two issues that got the most attention in the last days of Session were transportation and eminent domain, both of which are addressed below.

The General Assembly will return on April 4 to deal with any of the Governor's vetoes and amendments of bills from the regular Session. Since the Governor has promised to make major improvements to the transportation funding bill that was passed on the last day of Session, transportation will likely be the major focus of the April 4 Session.

City Package. This is the status of bills from the City's legislative package (Attachment 1 is a more detailed status report on these bills; Attachment 2 is a status report on other 2007 Session bills on which the City took a position):

- SB 936 sought to amend the City Charter to clarify that the fair market value of a building in a historic district proposed for demolition is based on the assumption that the historic building will not be moved or demolished. The bill was approved by the Senate but defeated by the House Committee on Counties, Cities and Towns.
- SB 933 and HB 2267 (identical bills), which now await the Governor's signature, authorize the creation of an arts and cultural district in the City.

- HB 2740, which also awaits the Governor's approval, will require any new political action committee to report information on the committee and its contributions immediately, if an initial expenditure is made just prior to an election.
- HB 2727, also awaiting the Governor's signature, will give a tenant in a conversion condominium who is elderly or disabled and eligible for a lease extension under current law and ordinance, the ability to assign the right to purchase his unit to a government agency, housing authority, or nonprofit corporation.
- SB 925 has passed the House and Senate and awaits the Governor's approval. It will allow the Virginia Department of Environmental Quality (DEQ) to take enforcement action against any air pollution permittee that violates opacity standards if the violations are detected by air monitors. Current law requires a DEQ inspector to be present to observe the violation.

Red Light Cameras. The General Assembly has approved legislation that will reauthorize red light camera programs in localities that wish to have them, effective July 1. The requirements for these programs are similar to those included in the State law that was allowed to expire two years ago. There will likely be requests of the Governor to propose amendments to the bill (e.g., it authorizes a locality to install only one camera for every 10,000 residents, which will significantly limit their use in smaller localities such as Falls Church, the City of Fairfax, and Vienna), but it is certain to become law on July 1.

Transportation Funding. Transportation was the dominant issue of the General Assembly Session. In January, a group of House and Senate Republicans proposed a transportation plan that would provide new statewide funding as well as new regional funding for Northern Virginia and Hampton Roads. The most controversial component of the plan (opposed by the City) was an annual shift of \$250 million out of general fund programs (e.g., education, public safety, health, and social services) and into transportation.

On the last day of Session, the General Assembly approved this legislation with some revisions. Although the general fund revenues being transferred to transportation have been reduced somewhat, they will still approach \$200 million or more annually. The bill also makes administrative and organization changes to the Virginia Department of Transportation, as well as changes to the state's land use laws (these mainly affect counties). The Governor has strongly criticized the bill, and has promised to work with localities on major amendments.

Major statewide funding components of the legislation include the following.

- Statewide funding for transportation is increased by \$760 million in FY 08, \$530 million in FY 09, and \$600 million annually thereafter.

- General fund revenues transferred to transportation are estimated at \$148 million in FY 09, \$172 million annually from FY 2010 to FY 2016, and \$184 million annually thereafter.
- Half of future general fund surpluses (estimated to average \$64 million annually) will also be used for transportation.
- Motor vehicle registration fees will increase by \$10 annually per vehicle.
- New abusive driver fees, estimated at \$108 million annually when fully phased in, will also be used for statewide needs.
- The bill authorizes \$2.5 billion in transportation bonds to be used for statewide road, transit, and rail projects. The bonds will be paid off from the general fund transfers noted above.

The major Northern Virginia components of the bill include:

- The following new taxes and fees: a 2 percent increase in the car rental tax; a commercial real property tax add-on of 25 cents per \$100 assessed value; a \$100 fee on the issuance of new drivers licenses (except those going to teens); a 40 cent (per \$100) increase in the grantor's tax; and a 2 percent increase in the transient occupancy tax. This is expected to produce about \$400 to \$425 million annually.
- Localities will be required to enact all these new taxes and fees, with the State enacting none of them.
- The revenues will be distributed as follows: 40 percent will go to localities, and 60 percent to the Northern Virginia Transportation Authority (NVTa). Earmarks listed in the bill (\$50 million annually for METRO; \$25 million annually for the Virginia Railway Express; and \$22 million for Loudoun County to use for Dulles rail and transit) apparently will come out of the NVTa allotment.

Legislation Affecting Mirant. Various bills were considered that could potentially affect the Mirant Power Plant. As noted above, the passage of SB 925 will allow the Virginia Department of Environmental Quality (DEQ) to use data from air monitors (not just inspectors' observations) to take enforcement action against any air pollution permittee that violates opacity standards.

Legislation to reorganize Virginia's environmental regulatory boards (HB 3113 and SB 1403) by eliminating the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board was passed with a reenactment clause. This will prevent the bill from going into effect any earlier than a year from now, since it will have to be reenacted by the 2008 General Assembly to become law. The Governor has assured the Mayor that he will not attempt to remove the reenactment clause at the General Assembly's April 4 Reconvened (Veto) Session.

Smoking in Public. Legislation that would completely prohibit smoking in restaurants and most other indoor public areas was defeated by the 2007 General Assembly. Nonetheless, legislation (not supported by the City) was enacted that will prohibit smoking in restaurants unless a restaurant posts signs stating "Smoking Permitted" conspicuously at each public entrance. The

bill also removes a provision in current law that requires restaurants that seat 50 or more people to have a non-smoking section. Opponents of smoking are expected to ask the Governor to reinstate this requirement, and to strengthen the bill in other ways.

Eminent Domain. Legislation rewriting Virginia's eminent domain statutes was enacted on the last day of the Session. The City worked throughout Session with a coalition whose purpose was to ensure that localities and other public bodies retain appropriate eminent domain and condemnation authority. The Coalition was able to defeat a proposed amendment to the Virginia Constitution that could have significantly hampered local governments and others in future efforts to appropriately use eminent domain authority.

Even though the constitutional amendment was defeated, legislation rewriting the state statutes on eminent domain was passed. It puts new limits on the authority that localities currently have to deal with blight. In addition, it establishes the right to private property as a "fundamental right." This, as well as other provisions of the bill, may subject local government to additional litigation in coming years.

Paper trail for Electronic Voting Machines. Legislation to require a paper trail for electronic voting machines passed both the House and Senate and is now awaiting action by the Governor. Localities will be prohibited from replacing any currently owned direct recording electronic (DRE) devices after July 1 (the City's E-Slate system is a DRE system). DREs acquired prior to July 1 can continue to be used until they wear out. Eliminated from the legislation is a requirement that had been in one of the bills that would have required localities to conduct a post-election audit of their voting machines and use the paper ballots to determine the election results if a significant discrepancy is found between the voting machine and paper ballot totals.

State Budget. The General Assembly passed a budget on the last day of Session. Among the items of interest to the City are these:

- State-supported local employees will receive a 4 percent salary increase, effective December 1, 2007.
- Both the House and Senate accepted the Governor's proposal (as requested by the City) to increase monthly payments to foster families, as well as clothing allowances for these children.
- The budget provides \$18,750 in FY 08 for improvements to Gadsby's Tavern (last Session, the General Assembly appropriated \$37,500 in FY 07 funding for this project).
- Additional funding is provided for Medicaid assistance to persons who are mentally retarded or developmentally disabled.

in the construction of its new assisted living facility (\$600,000 was provided to the facility during last year's Session).

- Staff is unable to determine at this time the exact amount of funding the City will receive for Alexandria City Public Schools or the HB 599 local law enforcement program, although neither of these is expected to vary significantly from what is currently provided by the State.
- Although the City recommended that the State increase funding for the Rehabilitative Services Incentive Fund (RSIF), no additional funds were included in the budget for this program.

ATTACHMENTS:

Attachment 1 - Current Status of City Package Bills, February 24, 2007

Attachment 2 - Current Status of Bills on Which The City Has Taken a Position, February 24, 2007

STAFF: Bernard Caton, Legislative Director

**Current Status of City Package Bills
February 24, 2007**

HB 1621 Payday loans; requires SCC to contract w/third party to establish database through Internet.

Summary as introduced:

Payday Loan Act. Requires the State Corporation Commission, on or before July 1, 2008, to contract with a third party to establish and administer a database with real-time access through an Internet connection to ensure compliance with the Payday Loan Act. Lenders are prohibited from making a payday loan unless it has obtained information from the database, or other permitted verification source, that the borrower does not have three or more outstanding payday loans and has not terminated a payday loan within 48 hours. The measure also (i) prohibits a payday lender from making a payday loan to a borrower if the borrower has three or more other payday loans outstanding or within 48 hours following the borrower's termination of a payday loan; (ii) prohibits a lender from instituting collection proceedings against a borrower until 60 days after the date of default; (iii) prohibits a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (iv) requires a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with the provisions of the Fair Debt Collection Practices Act that apply to debt collectors; (v) authorizes the Commission to impose a penalty on a person who violates any regulation promulgated by the Commission pursuant to the Payday Loan Act or other law or regulation applicable to the conduct of the lender's business; and (vi) provides that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower. This bill has been incorporated into HB 2563.

Patrons: Oder and Cox

01/30/07 House: Incorporated by Commerce and Labor (HB2563-Ware, R.L.)

Notes: City Position: Oppose

HB 1634 Minimum wage; increase amount thereof.

Summary as introduced:

Minimum wage. Increases the minimum wage for persons age 19 or older from its current federally mandated level of \$5.15 per hour to \$6.00 per hour effective July 1, 2007, to \$6.45 per hour effective July 1, 2008, and to \$7.00 per hour effective July 1, 2009, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: Marshall, D.W.

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 1651 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.15 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Eisenberg, Bowling, Bulova, Howell, A.T., McClellan, Plum, Spruill, Toscano, Tyler, Ware, O. and Watts

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 1654 Minimum wage; increase from its current federally mandated level.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.25 per hour effective July 1, 2007, and to \$7.00 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Toscano and McClellan

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 1683 Traffic light signal violation-enforcement program; localities may adopt ordinances therefor.

Summary as introduced:

Traffic light signal violation-enforcement program; local ordinances. Allows local governing bodies to adopt ordinances providing for a traffic light signal violation-enforcement program. Penalties for violations are capped at \$50.

Patron: McQuigg

02/01/07 House: Incorporated by Transportation (HB1778-Cosgrove)

Notes: City Position: Support

HB 1710 Treatment works; reimbursement to localities of funds for upgrades thereof.

Summary as passed House:

Virginia Pubic Building Authority; water treatment. Provides alternative ways of providing \$500 million in grants for funding the installation of nutrient removal technologies at specified publicly owned treatment works.

Patrons: Callahan, Athey, Cosgrove, Hugo, Landes, Lingamfelter, O'Bannon, Oder, Peace, Rust, Scott, E.T. and Sherwood

02/24/07 Passed House and Senate

Notes: City Position: Support

HB 1778 Traffic light signal violation-enforcement program; localities may adopt ordinances therefor.

Summary as passed House:

Traffic signal enforcement programs; civil penalty. Grants localities the authority to operate traffic signal enforcement systems. Localities may install photo-monitoring systems at no more than one intersection for every 10,000 residents at one time. Provisions within the bill limit the use and retention of images recorded and provide other parameters and limitations for localities.

Patron: Cosgrove

02/20/07 Senate: Passed Senate (30-Y 10-N)

Notes: City Position: Support

HB 1906 Unfair employment practices; discharging employees when unauthorized aliens are employed.

Summary as introduced:

Unfair employment practices; discharging employees when unauthorized aliens are employed. States that it is an unfair employment practice for an employer to discharge any United States citizen or legally authorized worker if the employer, on the date of the discharge, employed an unauthorized alien within the Commonwealth. Employers that are enrolled and participate in the federal Basic Pilot Program, or are exempt from compliance with federal employment verification procedures under federal law, are not subject to this measure. Someone discharged in violation of this unfair employment practice is entitled to recover treble damages, including lost wages from the date of the discharge until the date the employee has procured new employment, or 120 days, whichever occurs earlier, and reasonable attorney's fees and costs.

This bill has been incorporated into HB 2687.

Patron: Albo

01/23/07 House: Incorporated by Commerce and Labor (HB2687-Reid)

Notes: City Position: Oppose

HB 1918 Illegal aliens; presence unlawful in State, penalty.

Summary as introduced:

Federal illegal alien status unlawful in Virginia; penalty. Provides that any alien who is present in the United States illegally, as verified by the Bureau of Immigration and Customs Enforcement, is guilty of a Class 1 misdemeanor.

Patrons: Cole, Athey, Cosgrove, Scott, E.T. and Sherwood

02/02/07 House: Incorporated by Courts of Justice (HB1970-Albo)

Notes: City Position: Oppose

HB 2004 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007; to \$7.15 per hour effective July 1, 2008; and to \$8.15 per hour effective July 1, 2009. For subsequent years, the minimum wage will be adjusted annually on July 1 to reflect changes in the Consumer Price Index for the preceding calendar year, as determined by the Commissioner of Labor and Industry.

Patrons: Callahan, Amundson, Brink, Caputo, Dance, Ebbin, Eisenberg, Englin, McClellan, Moran and Watts; Senator: Puller

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 2005 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. Moves the law

restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, and private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses.

Patron: Callahan

02/06/07 House: Left in General Laws

Notes: City Position: Support

HB 2159 Payday Loan Act; repeals Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act effective July 1, 2008.

Patrons: O'Bannon, Landes and Oder; Senator: Reynolds

01/30/07 House: Tabled in Commerce and Labor (15-Y 7-N)

Notes: City Position: Support

HB 2169 Tuition, In-state; illegal aliens not eligible.

Summary as introduced:

In-state tuition and educational benefits for unlawful aliens. Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid, unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope, without regard to whether such citizens or nationals are Virginia residents. This bill has been incorporated into HB 2623 (Reid).

Patron: Cline

01/29/07 House: Incorporated by Education (HB2623-Reid)

Notes: City Position: Oppose

HB 2243 Payday Loan Act; repeals Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act.

Patron: Howell, A.T.

01/30/07 House: Tabled in Commerce and Labor (15-Y 7-N)

Notes: City Position: Support

HB 2245 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. Moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, and private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses.

Patron: Howell, A.T.

02/06/07 House: Left in General Laws

Notes: City Position: Support

HB 2267 Alexandria, City of; establishing arts and cultural districts.

Summary as introduced:

Arts and cultural districts. Adds the City of Alexandria to those localities authorized to establish an arts and cultural district for the purpose of increasing awareness and support for the arts and culture in the locality. The locality may provide incentives for the support and creation of arts and cultural venues in the district, including tax incentives and certain regulatory flexibility. This bill is identical to SB933.

Patrons: Ebbin, Englin and Moran; Senators: Saslaw and Ticer

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 2508 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$5.85 per hour effective July 1, 2007, to \$6.55 per hour effective July 1, 2008, and to \$7.25 per hour effective July 1, 2009, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: Jones, D.C.

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 2687 Unfair employment practices; discharging employees when unauthorized aliens are employed.

Summary as passed House:

Unfair employment practices; discharging employees when unauthorized aliens are employed. States that it is an unfair employment practice for an employer to knowingly employ any unauthorized alien within the Commonwealth. An employee who is replaced by his employer with an unauthorized alien shall have a cause of action against his employer on or after July 1, 2007. Employers that are enrolled and participate in the federal Basic Pilot Program, are exempt from compliance with federal employment verification procedures under federal law, or have obtained certain employment eligibility verification documentation, are not subject to this measure. Someone discharged in violation of this unfair employment practice is entitled to recover treble damages, including lost wages from the date of the discharge until the date the employee has procured new employment, or 120 days, whichever occurs earlier, and reasonable attorney's fees and costs. This bill incorporates HB 1906.

Patrons: Reid, Frederick, Gear and Hugo

02/14/07 Senate: Passed by indefinitely in Courts of Justice (11-Y 4-N)

Notes: City Position: Oppose

HB 2689 Smoke Free Air Act; created.

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in restaurants; civil penalties. Moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, and private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to a \$200 civil penalty for the first offense and \$500 for subsequent offenses.

Patron: Oder

02/06/07 House: Left in General Laws

Notes: City Position: Support

HB 2727 Condominium Act; allows elderly or disabled tenants in conversion units to assign purchase right.

Summary as passed:

Condominium Act; conversion condominiums; rights of elderly and persons with disabilities. Allows any tenant who is disabled or elderly to assign the exclusive right to purchase his unit to a government agency, housing authority, or certified nonprofit housing corporation, which shall then offer the tenant a lease at an affordable rent, in the case of a

conversion condominium. The bill provides that the acquisition of such units by the governmental agency, housing authority, or certified nonprofit housing corporation shall not (i) exceed the greater of one unit or five percent of the total number of units in the condominium or (ii) impede the condominium conversion process. The bill defines affordable rent and certified nonprofit housing corporation. The bill is identical to SB 968.

Patrons: Englin, Cosgrove, Ebbin, Hull, McClellan, Sickles and Suit

02/19/07 Passed House and Senate

Notes: City Position: Support

HB 2740 Campaign finance disclosure; reports of independent expenditures by political action committees.

Summary as passed House:

Campaign finance; deadline for reports of independent expenditures; filings by political action and political party committees. Requires filing independent expenditure reports by earlier of 24 hours after (i) making expenditure, or (ii) publishing or publicly broadcasting materials to influence voting for or against an identified candidate. Requires that independent expenditure report filed by a political action committee or political party committee that has not yet filed a statement of organization provide the information required on a statement of organization. Current law allows a committee 10 days after it is organized to file its statement of organization. This bill requires a political action committee or political party committee that makes an independent expenditure during this 10-day period or any period during which the committee has not filed a statement of organization to file a report with complete information within 24 hours of spending funds or publishing or publicly broadcasting candidate related materials.

Patrons: Englin and McClellan

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 2744 Fair housing law; unlawful discriminatory housing practice.

Summary as introduced:

Fair housing law; unlawful discriminatory housing practice. Adds source of income to the list of unlawful discriminatory housing practices. The bill defines source of income as any lawful income used by a person to meet his obligation to pay for the purchase or lease of a dwelling, including payment with (i) federal funds received pursuant to public housing or Section 8 programs of the United States Housing Act of 1937, as amended, (ii) funds received from assistance made available under Chapter 1.2 (§ 36-55.26 et seq.) of Title 35, or (iii) proceeds from a bequest, life insurance policy, annuity, or other like source. The bill contains technical amendments.

Patrons: Englin, Ebbin and McClellan

02/01/07 House: Stricken from docket by General Laws

Notes: City Position: Support

HB 2849 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.25 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patrons: Moran, Amundson, Armstrong, BaCote, Bowling, Brink, Bulova, Ebbin, Howell, A.T., Jones, D.C., McClellan, Miller, P.J., Plum, Scott, J.M., Sickles, Toscano, Ward and Watts

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 2863 Pedestrians; motorists to stop for those at marked crosswalks.

Summary as introduced:

Stopping for pedestrians. Amends the statute that presently requires motorists to yield the right-of-way to pedestrians to require that motorists stop for pedestrians.

Patron: Moran

01/23/07 House: Stricken from docket by Transportation

Notes: City Position: To be replaced by a comprehensive study of pedestrian laws supported by the City.

HB 2873 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$7.25 per hour effective July 1, 2007, unless a higher minimum wage is required by the federal Fair Labor Standards Act.

Patron: McEachin

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HB 2878 Air pollution; methods to determine opacity.

Summary as introduced:

Methods to determine opacity. Authorizes the Executive Director of the Department of Environmental Quality to use various methods to determine whether opacity requirements for air quality are being met.

Patrons: Englin, Ebbin, McClellan and Moran

02/06/07 House: Left in Agriculture, Chesapeake and Natural Resources

Notes: City Position: Support

HB 2935 Tuition, in-state; illegal aliens not eligible therefor.

Summary as introduced:

In-state tuition and educational benefits for unlawful aliens. Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid, unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope, without regard to whether such citizens or

nationals are Virginia residents. This bill has been incorporated into HB 2623 (Reid).

Patrons: Miller, J.H., Athey, Cole, Cosgrove, Gear and Jones, S.C.

01/29/07 House: Incorporated by into HB 2623

Notes: City Position: Oppose

HB 2937 Certain aliens; eligibility of for state and local public benefits.

Summary as passed House:

Eligibility of certain aliens for state and local public benefits. Provides that no state or local funds shall be awarded or otherwise disbursed to any organization when the award or disbursement is made with the intent of circumventing the provisions of this section by enabling such organization to provide the type of benefits or assistance to persons who are otherwise ineligible. Further provides that no organization receiving state or local funds shall use the funds to provide the type of benefits or assistance to persons who are otherwise ineligible for them.

Patrons: Miller, J.H., Albo, Frederick and Hugo

02/16/07 Senate: Passed by indefinitely in Rehabilitation and Social Services

Notes: City Position: Oppose

HB 3054 Minimum wage; increases from its current federally mandated level.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.25 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The measure also repeals the existing exclusion for persons who have reached age 65 from the definition of an employee under the Virginia Minimum Wage Act.

Patrons: Jones, D.C. and Moran

02/06/07 House: Left in Commerce and Labor

Notes: City Position: Support

HJ 624 Constitutional amendment; localities to exempt from taxation percentage of value of prop. (1st ref).

Summary as introduced:

Constitutional amendment (first resolution); property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20% of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied.

Patron: Brink

02/06/07 House: Left in Privileges and Elections

Notes: City Position: Support

SB 766 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, unless a higher minimum wage is

required by the federal Fair Labor Standards Act. This bill has been incorporated into SB 1327.

Patrons: Locke; Delegate: McClellan

01/29/07 Senate: Incorporated by Commerce and Labor (SB1327-Colgan) (15-Y 0-N)

Notes: City Position: Support

SB 771 Public Building Authority; authorized to issue bonds for water quality improvement grants.

Summary as passed Senate:

Virginia Public Building Authority; water treatment. Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$250 million for grants to be used solely for the purpose of funding the installation of nutrient removal technologies at specified publicly owned treatment works and non-significant discharges to implement the Commonwealth's Chesapeake Bay Tributary Strategies.

Patrons: Chichester, Hanger, Quayle and Stosch

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 829 Photo-monitoring systems; established to enforce traffic light signals.

Summary as passed:

Traffic signal enforcement programs; civil penalty. Grants localities the authority to operate traffic signal enforcement systems. Localities may install photo-monitoring systems at no more than one intersection for every 10,000 residents at one time. Provisions within the bill limit the use and retention of images recorded and provide other parameters and limitations for localities.

Patron: Devolites Davis

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 871 Photo-monitoring systems; certain counties and cities may establish to enforce traffic light signal.

Summary as introduced:

Traffic Signal Enforcement Programs; civil penalty. Grants localities the authority to operate traffic signal enforcement systems. Localities may install photo-monitoring systems at no more than 25 intersections at one time. Provisions within the bill set the maximum fine, limit the use and retention of images recorded, and provide other parameters and limitations for localities.

Patron: Watkins

02/13/07 House: Incorporated by Transportation (SB829-Devolites Davis)

Notes: City Position: Support

SB 925 Air pollution; methods to determine opacity.

Summary as passed Senate:

Methods to determine opacity. Authorizes the Executive Director of the Department of Environmental Quality or his representative to use various methods to determine whether opacity requirements or opacity limits for air quality are being met.

Patrons: Ticer; *Delegates:* Marsden, Moran, Plum and Scott, J.M.

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 933 Alexandria, City of; establishing arts and cultural districts.

Summary as introduced:

Arts and cultural districts. Adds the City of Alexandria to those localities that may by ordinance establish within their boundaries an arts and cultural district for the purpose of increasing awareness and support for the arts and culture in the locality. Each locality may provide incentives for the support and creation of arts and cultural venues in the district. This bill is identical to HB 2267.

Patrons: Ticer; *Delegates:* Moran and Scott, J.M.

02/20/07 Passed House and Senate

Notes: City Position: Support

SB 936 Charter; City of Alexandria.

Summary as introduced:

Charter; Alexandria. Requires that in historic districts the fair market value of a building proposed for demolition be based on the assumption that the building will not be moved or demolished. Also clarifies the meaning of a good faith offer to buy such property.

Patron: Ticer

02/20/07 House: Left in Counties, Cities and Towns

Notes: City Position: Support

SB 968 Condominium conversions; allows elderly or disabled s to assign purchase right.

Summary as passed Senate:

Virginia Condominium Act; conversion of condominium sales. Allows for a condominium conversion tenant who is disabled or elderly to assign his right to purchase to a government agency, housing authority, or certified tax exempt, nonprofit housing corporation.

Patron: Whipple

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 1014 Payday Loan Act; SCC to contract with third party to develop Internet database.

Summary as passed Senate:

Payday Loan Act. Requires the State Corporation Commission, by July 1, 2008, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether an applicant is eligible for the loan. Fifty cents may be charged to defray the costs of using the database. A payday lender is prohibited from making a payday loan to a person who has terminated a payday loan on the loan application date, or if the loan would cause the borrower to have more than three payday loans outstanding at the same time. Payday lenders are prohibited from knowingly making loans to a member of the military service or to the spouse of such person.

If a borrower obtains three or more consecutive payday loans, the borrower may enter into an extended payment plan, which allows the borrower to repay the loan in at least two equal installments over 60 days. The installments may be secured by three checks written by the borrower. A payday loan may not be made to a borrower in an extended payment plan. Other provisions (i) prohibit a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (ii) require a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with certain restrictions and prohibitions contained in the Fair Debt Collection Practices Act; (iii) provide that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; (iv) state that the provisions of the Payday Loan Act apply to Internet lenders; and (v) allow licensees to secure payday loans with the borrower's electronic debit authorization.

Patrons: Saslaw and Reynolds

02/24/07 No action taken on bill on last day of Session (the bill died)

Notes: City Position: Oppose

SB 1161 Smoke Free Air Act; created.

Summary as introduced:

Virginia Smoke Free Air Act; smoking in restaurants; civil penalties. Moves the law restricting smoking in buildings and other enclosed areas from the title relating to local government (15.2) to the title relating to health (32.1) and prohibits smoking indoors in most buildings or enclosed areas frequented by the public. Exceptions are provided for (i) private homes, private residences, and private automobiles, and home-based businesses, unless used in conjunction with a licensed child care, adult day care, or health care facility; (ii) certain private functions held in public facilities; (iii) hotel or motel rooms not clearly designated as "nonsmoking" rooms that are offered for lease or rent to the public; (iv) specialty tobacco stores; and (v) tobacco manufacturers. Signs stating "Warning: Smoking Permitted" must be posted by the proprietor of any exempt building or area when smoking is allowed. Any person who continues to smoke in an area in which smoking is prohibited will be subject to a civil penalty of not more than \$100 for the first offense, and \$250 for subsequent offenses. Failure to comply with the smoking restrictions will subject proprietors to civil penalties.

Patron: Bell

02/20/07 House: Left in General Laws

Notes: City Position: Support

SB 1204 Tuition, in-state; prohibited for those who are unlawfully present in U.S.

Summary as passed Senate:

In-state tuition rates; prohibited for certain individuals. Prohibits the board of visitors or other governing body of a public institution of higher education in the Commonwealth from authorizing in-state tuition rates for individuals who are unlawfully present in the United States. The bill also provides that, notwithstanding the provisions regarding the governing bodies' mandates, any person shall be eligible for in-state tuition who: (i) has resided in Virginia while attending high school; (ii) has graduated from a public or private high school in Virginia or has

received a General Education Development (GED) certificate in Virginia; (iii) has resided in the Commonwealth for at least three years on the date of high school graduation; (iv) has registered in an institution of higher education; (v) has provided an affidavit stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (vi) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

Patron: Hanger

02/24/07 No action taken on bill on last day of Session (the bill died)

Notes: City Position: Support

SB 1277 Minimum wage; increase per hour.

Summary as introduced:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.15 per hour effective July 1, 2007, and to \$7.25 per hour effective July 1, 2008, unless a higher minimum wage is required by the federal Fair Labor Standards Act. This bill has been incorporated into SB 1327.

Patrons: Whipple and Reynolds

01/29/07 Senate: Incorporated by Commerce and Labor (SB1327-Colgan)

Notes: City Position: Support

SB 1320 Payday Loan Act.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act.

Patrons: Locke and Reynolds

02/06/07 Senate: Left in Commerce and Labor

Notes: City Position: Support

SB 1326 Payday Loan Act; repeals Act effective July 1, 2009.

Summary as introduced:

Payday Loan Act. Repeals the Payday Loan Act effective January 1, 2009.

Patrons: Stosch and Reynolds

02/06/07 Senate: Left in Commerce and Labor

Notes: City Position: Support

SB 1327 Minimum wage; increase per hour.

Summary as passed Senate:

Minimum wage. Increases the minimum wage from its current federally mandated level of \$5.15 per hour to \$6.50 per hour effective July 1, 2007, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The act will expire at such time as the federal minimum wage equals or exceeds \$6.50 per hour. This bill incorporates SB 766 and SB 1277.

Patrons: Colgan, Potts and Quayle

02/20/07 House: Left in Appropriations

Notes: City Position: Support

SJ 354 Constitutional amendment; exempts certain homeowners from taxation.

Summary as passed Senate:

Constitutional amendment; property exempt from taxation. Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner- occupant's primary dwelling and lived in continuously.

Patron: Rerras

02/22/07 Passed House and Senate

Notes: City Position: Support

SJ 398 Constitutional amendment; localities to exempt from taxation percentage of value of property.

Summary as introduced:

Constitutional amendment; property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20% of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied. This resolution has been incorporated into SJR 354.

Patron: Whipple

01/30/07 Senate: Incorporated by Privileges and Elections (SJ354-Rerras) (15-Y 0-N)

Notes: City Position: Support

**Current Status of Bills on Which The City Has Taken a Position
February 24, 2007**

HB 1603 Multiline telephone systems; ability to identify location from 9-1-1 call.

Summary as passed:

Multiline telephone systems. Requires providers of multiline telephone systems acquired or installed on or after July 1, 2009, be maintained and operated so that 911 calls from each telephone station on the system provides either automatic location and number identification information or an alternative method of providing call location information.

Patrons: Rapp, O'Bannon and Orrock

02/19/07 Passed House and Senate

Notes: City Position: Support

HB 1648 Makes motor fuels tax optional in NOVA transportation districts.

Summary as introduced:

Motor fuels sales tax. Makes the imposition of the Northern Va. 2% sales tax on motor vehicle fuels optional (the tax is now mandatory).

Patron: Cole

02/06/07 House: Left in Finance

Notes: City Position: Oppose

HB 1672 Real property; establishes separate classes for purposes of taxation rates.

Summary as introduced:

Real property taxation. Establishes as separate classes of real property for purposes of real property taxation rates the following: (i) residential property and (ii) real estate devoted to agricultural use, horticultural use, forest use, or open-space use. The governing body of any county, city, or town may establish rates of taxation on each of these classes of property different from each other and different from the tax rate levied on all other real property.

Patron: Marshall, R.G.

02/06/07 House: Left in Finance

Notes: City Position: Support

HB 1680 Domestic assault case; deferred proceedings for previously convicted felons.

Summary as passed House:

Unavailability of deferred proceedings in domestic assault cases for previously convicted felons. Provides that a person previously convicted of a felony offense against a person is not eligible for deferred proceedings in a domestic assault case unless the felony was committed more than 10 years prior to such consideration. Current law prohibits any consideration if a person has been convicted of an assault and battery type offense.

Patrons: Cosgrove, Athey, Gear, Iaquinto, Jones, S.C., Landes and Sherwood

02/19/07 Senate: Failed to report (defeated) in Courts of Justice (5-Y 10-N)

Notes: City Position: Support

HB 1694 Magistrates; county or city may assess fixed sum in criminal or traffic cases.

Summary as introduced:

Five dollar court fee to increase pay of magistrates. Provides that any county or city may, by ordinance, assess a sum of no more than \$5 as part of the costs in any criminal or traffic case in which the defendant is convicted of a violation of any statute or ordinance. Proceeds of these assessments shall be used to supplement the fixed compensation of magistrates.

Patron: Callahan

02/06/07 House: Left in Courts of Justice

Notes: City Position: Support

HB 1699, Repeals authority to impose motor vehicle license fees and taxes thereof.

Summary as introduced:

Local vehicle license fees and taxes. Repeals authority to impose and collect local vehicle license fees and taxes (does not affect the ability of localities to impose personal property taxes).

Patron: Lingamfelter

02/06/07 House: Left in Counties, Cities and Towns

Notes: City Position: Oppose

HB 1706 Real estate tax; limitation on tax rate by localities.

Summary as introduced:

Real estate tax; limitation on tax rate. Requires localities to set real estate tax rates so that the total real estate tax revenue will not increase by more than 3% over the previous year's total real property tax levies with one exception. The exception would allow a locality to set its property tax rate at a rate not to exceed the rate of population growth plus the rate of inflation in the locality for the immediately preceding year, but in no event shall the rate be set at any amount that would produce more than 6% growth.

Patron: Lingamfelter

02/06/07 House: Left in Finance

Notes: City Position: Oppose

HB 1730 Real property; establishes separate classes for purposes of taxation rates.

Summary as introduced:

Classification of taxable real property. Permits localities to tax residential property at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes. If a locality imposes a lower tax rate on residential property, then thereafter the locality shall not increase the rate of taxation on the general class of real property.

Patron: Alexander

02/06/07 House: Left in Finance

Notes: City Position: Oppose

HB 1770 Juveniles; destruction of fingerprints and photographs.

Summary as introduced:

Fingerprints and photographs of juveniles; destruction. Provides that if a petition or warrant is not ultimately filed against a juvenile whose fingerprints are photographs are taken when the juvenile is taken into custody and charged with an act that, if committed by an adult, would be required to be reported to the Central Criminal Records Exchange, the fingerprints and photographs must be destroyed within 60 days.

Patron: Cosgrove

02/19/07 Senate: Left in Courts of Justice

Notes: City Position: Support

HB 1775 Street gangs; add to list predicate acts for determination of membership status.

Summary as introduced:

Gang membership "predicate acts" listing. Adds § 18.2-154 (shooting at a vehicle) and § 18.2-279 (shooting at an occupied building or dwelling) to the list of "predicate acts" for determination of criminal street gang member status.

Patrons: Cosgrove, Athey, Cole, Gear, Iaquinto, Jones, S.C., Landes, Lohr, Miller, J.H., O'Bannon, Rust and Sherwood

02/06/07 House: Left in Courts of Justice

Notes: City Position: Support

HB 1780 Real estate tax; requires each locality to lower its rate for forthcoming tax year.

Summary as introduced:

Real estate tax rates. Requires each locality to lower its real estate tax rate for the forthcoming tax year, to produce no more than 101 percent of the previous year's real property tax levies when any annual assessment, biennial assessment or general reassessment of real property by the locality would result in an increase of 1 percent or more in the total real property tax levied. The locality may increase the rate above the reduced rate after a public hearing held no sooner than 30 days after the rate reduction.

Patron: Cosgrove

02/06/07 House: Left in Finance

Notes: City Position: Oppose

HB 1789 Residential Landlord & Tenant Act; immunity for mold claims.

Summary as introduced:

Landlord and managing agent immunity for mold claims. Provides immunity for landlords and managing agents if they are in compliance with the Virginia Residential Landlord and Tenant Act. Managing agents can be held liable for affirmative acts of negligence.

Patron: Kilgore

02/02/07 House: Passed by in Courts of Justice with letter

Notes: City Position: Oppose

HB 1825 Housing Trust Fund; deposit of recordation tax revenues into Fund.

Summary as introduced:

Housing Trust Fund. Provides that 50% of the annual revenue collection from the taxes and

fees from the state recordation tax that are in excess of the official estimates for such taxes and fees, unless otherwise provided in the general appropriation act, shall be set apart in a permanent and perpetual fund to be known as the Virginia Housing Trust Fund.

Patron: Suit

02/06/07 House: Left in Appropriations

Notes: City Position: Support

HB 1921 Extortion; withholding immigration document.

Summary as passed:

Extortion by withholding immigration document. Makes a person who confiscates, withholds or threatens to withhold any actual or purported passport, immigration document or other government identification document and extorts money is guilty of a Class 5 felony.

Patrons: Griffith and Lingamfelter

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 1924 Assault and battery; second and third offense against a family or household member, penalty.

Summary as introduced:

Second and third offense of assault and battery against a family or household member; penalty. Provides that the punishment for any person who commits a second offense of assault and battery against a family or household member (a Class 1 misdemeanor) within five years following a conviction of a prior such offense shall include a 10-day mandatory minimum term of incarceration. The bill also provides that for a third offense within 20 years (a Class 6 felony) the punishment shall include a mandatory minimum term of incarceration of 90 days.

Patron: Griffith

01/22/07 House: Incorporated by Courts of Justice (HB1739-Fralin)

Notes: City Position: Support

HB 1934 Prohibits travel in left-most lane of highway.

Summary as passed House:

Overtaking and passing vehicles on certain highways. Prohibits travel in the left-most lane of any limited access highway except to pass another vehicle traveling in the same direction. There are exceptions made for exiting to the left, avoiding a collision, traffic and inclement weather, and entering a toll facility.

Patron: Rapp

02/15/07 Senate: Left in Transportation

Notes: City Position: Oppose

HB 2029 Victim notification; may be made through Statewide VINE System .

Summary as introduced:

Victim notification. States that victim notification currently required by to be made by the Department of Corrections and local and regional jails may be made through the Virginia

Statewide VINE (Victim Information and Notification Everyday) System or other similar electronic or automated system.

Patron: Sherwood

02/15/07 Passed House and Senate

Notes: City Position: Support

HB 2034 Prisoners; payment for health care costs by local and state correctional facilities.

Summary as introduced:

Payment for health care costs of prisoners. Requires that payment by local and state correctional facilities for costs incurred for health care for prisoners not exceed the lesser of the amount that would be paid under Medicare or Medicaid.

Patron: Hamilton

02/09/07 Senate: Stricken at request of Patron in Rehabilitation and Social Services (14-Y 1-N)

Notes: City Position: Support

HB 2077 Electronic voting equipment; paper record.

Summary as introduced:

Election procedures; voting equipment requirements; recount procedures. Beginning January 1, 2009, requires vendors seeking State Board of Elections certification of direct recording electronic (DRE) devices to equip them to produce a paper record of each vote that can be verified by the voter and provides for use of paper records in recounts. Allows use of currently certified DRE machines without voter-verified paper record capacity. Requires localities to provide voting equipment accessible to disabled voters and when required by the Voting Rights Act of 1965, the capacity for alternative languages. Repeals outdated authorization for mechanical voting devices and outdated references to punchcards and mechanical voting devices.

Patron: Armstrong

01/26/07 House: Incorporated by Privileges and Elections (HB2707-Hugo)

Notes: City Position: Support

HB 2083 Domestic violence victims; post office box to be shown on list of registered voters.

Summary as introduced:

Elections; voter registration lists and applications; victims of domestic violence. Provides that victims of domestic violence may provide a post office box address, in lieu of a residence address, to be shown on any public list of registered voters. The bill takes effect January 1, 2008.

Patrons: Eisenberg, Amundson, Armstrong, Barlow, Bulova, Caputo, Ebbin, Englin, Lewis, McClellan, Plum, Scott, J.M., Shannon, Shuler, Sickles, Toscano, Tyler and Valentine

01/26/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2084 Law-enforcement escorts; exempt from obeying regulations.

Summary as introduced:

Law-enforcement escorts. Provides that any federal, state, or local law-enforcement vehicle

used in conducting a funeral escort, wide load escort, dignitary escort, or any other escort shall be considered an emergency vehicle and is exempt from obeying certain regulations such as speed limit and traffic signals and signs.

Patrons: Eisenberg, Plum and Toscano

02/24/07 Passed House and Senate

Notes: City Position: Support

HB 2095 Retirement System; additional information to localities.

Summary as passed House:

Virginia Retirement System; information to localities. Directs VRS to provide participating localities the locality-specific data needed by each locality to determine the specific assumptions that are driving its VRS-related costs, and to understand the retirement costs of different classes of covered employees. Localities may be charged a fee for the cost of providing the information.

Patron: Tata

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 2109 Law-Enforcement Officers Procedural Guarantee Act; includes those employed by sheriff's office, etc.

Summary as introduced:

Law-Enforcement Officers Procedural Guarantee Act; scope. Includes law-enforcement officers employed by the sheriff's office of a city or county in the scope of the Law-Enforcement Officers Procedural Guarantee Act.

Patron: Carrico

02/06/07 House: Left in Militia, Police and Public Safety

Notes: City Position: Oppose

HB 2127 Real property; localities to provide individual notice taxpayer of certain rates.

Summary as passed House:

Real property tax rates; notice. Requires localities to provide individual notice to each real estate taxpayer of certain proposed tax rates. The notice is triggered in any year in which any annual assessment, biennial assessment, or general reassessment at the current rate would result in an increase of one percent or more in the total real property tax revenue in the following year, and the locality's new rate derived from its new proposed budget would yield in the forthcoming year more than 101 percent of the total real estate tax revenue received in the prior year. The individual notice shall include the property owner's previous year's real property tax levy, the real property tax levy at the derived rate.

Patron: Hugo

02/15/07 Senate: Left in Finance

Notes: City Position: Oppose

HB 2147 Residential Landlord and Tenant Act; noncompliance with rental agreement.

Summary as passed House:

Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement.

Provides that the failure of the court to hold a hearing in cases where there is a breach of the tenant's obligations under the Virginia Residential Landlord and Tenant Act or the rental agreement, which involves or constitutes a criminal or a willful act that is not remediable and poses a threat to health or safety, shall not be a basis for dismissal of the case.

Patron: Albo

02/15/07 Passed House and Senate

Notes: City Position: Oppose

HB 2150 Foster care services; provision of services to child and his family when needed.

Summary as introduced:

Foster care services. Indicates that the term "foster care services" means the provision of services to a child and his family when the child has been identified as needing services to prevent or eliminate the need for custody relinquishment.

Patron: Fralin

02/06/07 House: Left in General Laws

Notes: City Position: Oppose

HB 2173 Libraries; ordinance to prohibits firearms, etc. therein.

Summary as introduced:

Control of firearms; libraries. Allows localities to adopt an ordinance that prohibits firearms, ammunition, or components thereof in libraries owned or operated by the locality.

Patron: BaCote

02/06/07 House: Left in Militia, Police and Public Safety

Notes: City Position: Support

HB 2200 HB 599; revises formula for distributing to local law-enforcement in localities.

Summary as introduced:

State funds for local law enforcement; allocated for transportation. Repeals the current structure and formula for distributing certain state funds for local law enforcement in localities that have a police department, and appropriates the funds for transportation projects in all localities on a pro rata basis, based on population.

Patron: Wardrup

02/06/07 House: Left in Appropriations

Notes: City Position: Oppose

HB 2201 Interstate Compact for Juveniles; provides accountability, etc., to track juveniles across borders.

Summary as passed:

Interstate Compact for Juveniles. Repeals the Interstate Compact Relating to Juveniles and replaces it with the current version of the Interstate Compact for Juveniles, which has already been enacted in 30 states and provides for enhanced accountability, enforcement, visibility, and communication in relation to tracking and supervising juveniles moving across state borders.

Patron: McQuigg

02/20/07 Passed House and Senate

Notes: City Position: Support

HB 2218 Charitable organizations; exemption from food distribution regulations.

Summary as passed House:

Donations of food to charitable organizations; exempt from food service regulations.

Exempts charitable organizations that engage in food distribution to the needy from state and local regulations and ordinances that govern food service and preparation. Includes non-profit homeless shelters and hunger prevention programs under the definition of "charitable organizations" for purposes of the exemption. Permits the Board of Health to issue advisory standards for food preparation, handling, protection, and preservation.

Patrons: Amundson, Bulova, Caputo, Marsden, Moran, Plum, Rust and Watts; *Senators:* Herring and Howell

02/15/07 Passed House and Senate

Notes: City Position: Support

HB 2258 Charitable organizations; exemptions from food distribution regulations.

Summary as introduced:

Donations of food to charitable causes; exception to food services regulations. Exempts charitable organizations that engage in food distribution to the needy from both state and local food handling and preparation regulations with respect to requirements for commercial-grade kitchens and equipment.

Patrons: Rust, Albo, Amundson, Bulova, Caputo, Ebbin, Marsden, Plum, Scott, J.M. and Watts; *Senators:* Cuccinelli, Herring, Howell and Puller

01/25/07 House: Incorporated by General Laws (HB2218-Amundson)

Notes: City Position: Support

HB 2264 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants; penalty. Makes any person who confiscates, withholds or threatens to withhold any actual or purported passport, immigration document, or other government identification document, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, guilty of a Class 5 felony.

Patrons: Albo, Melvin and Moran

01/22/07 House: Incorporated by Courts of Justice (HB1921-Griffith)

Notes: City Position: Support

HB 2315 Meals tax; referendum required in certain cities.

Summary as passed House:

Meals tax; referendum required in certain cities. Restricts the imposition in any city of any new meals tax or tax rate increase resulting in a rate greater than 5.5% without approval by referendum.

Patrons: Welch and Iaquinto

02/14/07 Senate: Failed to report (defeated) in Finance (3-Y 12-N)

Notes: City Position: Oppose

HB 2429 Gangs and terrorism crimes; prosecutuion of those committing.

Summary as introduced:

Gangs and terrorism; penalty. Provides that any person who solicits, invites, recruits, encourages, or otherwise causes or attempts to cause another to participate, generally, in an act or acts of terrorism is guilty of a Class 4 felony. The bill also allows the Attorney General, with the concurrence of the local attorney for the Commonwealth, to assist in the prosecution of certain gang and terrorism crimes when committed on the grounds of a state correctional facility.

Patrons: Albo, Athey, Cole, Cosgrove, Iaquinto, Landes, Miller, J.H., Rust, Sherwood and Welch

02/21/07 Passed House and Senate

Notes: City Position: Support

HB 2435 Immigrants; status in order to obtain domicile in State.

Summary as introduced:

Lawful immigration status in order to obtain domicile in the Commonwealth. Prevents an alien not lawfully in the United States from obtaining legal domicile in the Commonwealth.

Patrons: Albo, Athey, Cole, Frederick, Hugo, Landes, O'Bannon, Sherwood and Welch

02/06/07 House: Left in Courts of Justice

Notes: City Position: Oppose

HB 2448 Illegal Immigration; verify citizenship status of persons in jail.

Summary as passed House:

Verification of citizen status. Requires a jailer to reasonably attempt to verify the citizen status of certain persons who are confined in jail. The bill also requires the Virginia State Bar to investigate the practice of providing legal advice to illegal immigrants and to establish related guidelines on unauthorized practice of law.

Patrons: Frederick and Miller, J.H.

02/14/07 Senate: Passed by indefinitely in Courts of Justice (12-Y 2-N)

Notes: City Position: Oppose

HB 2524 Gangs; definition of predicate criminal act to determine membership therein.

Summary as passed House:

Predicate crimes. Adds "felony involving the use of a firearm or other weapon" to the list of crimes that qualify as predicate criminal acts with enhanced penalties.

Patrons: Iaquinto, Athey, Landes, Lohr, Rust and Sherwood

02/21/07 Passed House and Senate

Notes: City Position: Support

HB 2548 Retail Sales and Use Tax; increase authorized in Northern Virginia localities.

Summary as introduced:

Sales and use tax; increase authorized in certain localities. Authorizes Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church to impose an additional 0.25% local sales and use tax. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority. The authority to impose the additional tax is contingent on matching federal funds being appropriated and distributed to the Washington Metropolitan Area Transit Authority.

Patrons: Ebbin and Plum

02/06/07 House: Left in Finance

Notes: City Position: Support

HB 2551 Human Anti-Trafficking Act; created, report.

Summary as introduced:

Human trafficking; penalties. Establishes the crime of and punishment for human trafficking, a Class 4 felony. Punishes human trafficking, when for the purposes of commercial sex acts or sexually explicit performance, as a Class 2 felony. Provides for civil liability, business entity liability, restitution to victims, forfeiture of trafficker assets, and study by a task force.

Patrons: Ebbin, Bulova, Plum, Scott, J.M. and Waddell; Senator: Ticer

02/06/07 House: Left in Courts of Justice

Notes: City Position: Support

HB 2574 Absentee voting; qualified voters may vote absentee for any reason.

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee for any reason.

Patron: Shannon

01/19/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2575 Assault and battery against family member; deferred finding.

Summary as passed House:

Family assault and battery; deferred finding. Prohibits a defendant who has waived his right to appeal from appealing the underlying offense so he can accept deferred findings of conviction.

Patron: Shannon

02/19/07 Senate: Left in Courts of Justice

Notes: City Position: Support

HB 2576 Protective orders; extension by court.

Summary as passed:

Protective orders; extension. Provides that a court may extend a preliminary protective order where the party subject to the order fails to attend the hearing because he was not personally served. The extended protective order must be served as soon as possible and the extension period is limited to six months. Also amends provisions relating to protective orders issued pending suit for divorce, custody or visitation to provide that if the party subject to the order fails

to appear at the hearing the court may extend the order for a period not to exceed six months.

Patron: Shannon

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 2620 Community policy & management teams; children's mental health services.

Summary as introduced:

State pool of funds for community policy and management teams. Adds children requiring mental health services not otherwise covered by private insurance or Medicaid, where services are necessary to prevent placement in foster care to the target population for whom state pool funds shall be expended. Expands eligibility for state pool funds to include children requiring mental health services to avoid placement in foster care.

Patrons: Fralin and Englin

02/06/07 House: Left in Appropriations

Notes: City Position: Oppose

HB 2623 Tuition, in-state; illegal aliens not eligible therefor.

Summary as passed House:

In-state tuition for aliens. Makes an alien who is unlawfully present in the United States, and therefore ineligible to establish domicile ineligible on the basis of residency within Virginia for any postsecondary educational benefit, including in-state tuition, unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope without regard to whether such citizens or nationals are Virginia residents.

Patrons: Reid, Cline and Miller, J.H.

02/15/07 Senate: Passed by indefinitely in Education and Health (8-Y 7-N)

Notes: City Position: Oppose

HB 2653 Firearms; illegal conveyance.

Summary as passed House:

Illegal conveyance of firearms; penalty. Makes it a Class 6 felony for any person, except for a law-enforcement officer in the performance of his official duties, to solicit or otherwise entice a firearms dealer to illegally convey a firearm other than to an actual buyer. A person who willfully and intentionally aids and abets a person violating this provision is guilty of a Class 6 felony.

Patron: Lingamfelter

02/22/07 Passed House and Senate

Notes: City Position: Support

HB 2669 Freedom of Information Act; electronic meetings without quorum.

Summary as passed House:

Freedom of Information Act; electronic communication meetings; Governor-declared state of emergency. Allows state public bodies to meet by electronic communication means without a quorum of the public body physically assembled at one location when (i) the Governor has declared a state of emergency in accordance with § 44-146.17, (ii) the meeting is necessary to

take action to address the emergency, and (iii) the public body otherwise complies with the electronic communication meetings law.

Patron: Sherwood

02/21/07 Passed House and Senate

Notes: City Position: Support

HB 2676 Budgets, local; modifies existing requirements for advertising, etc. when a locality amends.

Summary as introduced:

Local budgets. Modifies the existing requirements for advertising and holding a public hearing when a locality amends its budget. Such requirements will apply to any amendment that exceeds one percent of the total expenditures shown in the current budget. Currently, the requirements apply if the amendment exceeds one percent or \$500,000, whichever is less.

Patron: Ware, O.

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 2688 Workers' compensation; benefits paid to unauthorized aliens.

Summary as passed House:

Workers' compensation; unauthorized aliens. Makes an employer, rather than the employer's workers' compensation insurance carrier, liable for payment of workers' compensation benefits payable to an unauthorized alien. An employer is also required to promptly reimburse a third party that has paid benefits to an unauthorized alien for payments it has made to the injured alien. An employer that verified the work authorization status of the injured worker, through use of the Basic Pilot Program operated by the U.S. Department of Homeland Security, obtained certain employment eligibility verification documentation, or is exempt from compliance with federal employment verification procedures under federal law, is exempt from these provisions. If an unauthorized alien eligible for disability is inadmissible to the U.S. under federal immigration law, the payor of the benefits shall require the alien to present himself in person at a bank or financial institution located within a foreign country before receiving disability payments.

Patrons: Reid, Frederick, Hugo and Miller, J.H.

02/19/07 Senate: Left in Courts of Justice

Notes: City Position: Oppose

HB 2696 Electronic voting equipment requirements.

Summary as introduced:

Election procedures; voting equipment requirements. Requires vendors seeking State Board of Elections certification of direct recording electronic (DRE) devices to (i) have current federal certification and (ii) equip them to produce a paper record of each vote. Provides that the voter verified paper record takes precedence in a recount. All DREs must produce a paper record.

Patron: Hugo

01/26/07 House: Stricken from docket by Privileges and Elections

Notes: City Position: Support

HB 2697 Elections; recount procedures.

Summary as introduced:

Election procedures; recounts. Requires recount officials as part of the recount proceedings to randomly audit three percent of voting machines using State Board of Elections standards for hand recounts. A discrepancy exceeding one tenth of one percent (0.1%) requires extending the audit to all precincts.

Patron: Hugo

01/26/07 House: Stricken from docket by Privileges and Elections

Notes: City Position: Oppose

HB 2707 Electronic voting equipment; requirements and recount procedures.

Summary as passed House:

Election procedures; voting equipment requirements; and recounts. Prohibits future purchases of direct recording electronic (DRE) devices; and provides for the phase out of DRE devices as the devices now in operation wear out. Prohibits any form of wireless communication to or from voting or counting devices on election day. Requires localities to provide accessible equipment for disabled voters. The bill deletes obsolete references to mechanical voting equipment and punchcard devices.

Patrons: Hugo, Callahan and Moran

02/24/07 Passed House and Senate

Notes: City Position: Oppose

HB 2730 Hospital regulations; who may visit patients.

Summary as passed House:

Hospital regulations; authorized visitor designation for hospital visitation. Requires the Department of Health to establish regulations requiring each licensed hospital to include in its visitation policy a provision allowing each adult patient to receive visits from any individual from whom the patient desires to receive visits, subject to certain restrictions.

Patrons: Englin, Albo, Caputo, Ebbin, Iaquinto, McClellan, Moran, Shannon, Sickles, Wittman

02/20/07 Passed House and Senate

Notes: City Position: Support

HB 2737 Vote-counting machines; Board of Elections to conduct postelection audits.

Summary as introduced:

Postelection audits of vote-counting machines. Requires State Board of Elections to develop procedures to enable local electoral boards to conduct postelection audits of at least two percent of machines in jurisdictions with at least 50,000 voters and at least five percent of machines in jurisdictions with under 50,000 voters. Provides that paper records control in the event of a significant discrepancy, defined as over 0.1 percent difference between the hand counted total and the initial machine tally.

Patron: Hugo

01/26/07 House: Stricken from docket by Privileges and Elections

Notes: City Position: Oppose

HB 2746 Real estate tax; assessment of real property by localities.

Summary as introduced:

Local income tax; freeze real estate tax amount. Allows localities to impose a local income tax if they freeze the amount of real estate tax collections as of the date the local income tax is adopted. Prior to adopting the tax, there must be a referendum approving it, and the local governing body must adopt an ordinance. Localities will continue to assess real property as they normally would. The purpose of the local income tax is to make up the revenues that would have been collected from the real property tax if the collections amount had not been frozen.

Patron: Englin

02/06/07 House: Left in Finance

Notes: City Position: Oppose

HB 2761 Running a red light; punishable as reckless driving.

Summary as introduced:

Stopping on highways. Makes running a red light reckless driving statewide. Requires a mandatory \$500 fine for running a red light in localities formerly authorized for photo-red.

Patron: Hurt

02/02/07 House: Incorporated by Courts of Justice (HB2587-Janis)

Notes: City Position: Oppose

HB 2789 Uniform Statewide Building Code; violations, penalty.

Summary as introduced:

Uniform Statewide Building Code; violations; penalty. Provides that when violations of the Building Code relating to occupancy limits, where a dwelling results in not being a safe, decent, and sanitary dwelling, in a locality where the governing body has taken action to enforce the Maintenance Code, any owner, other person, firm, or corporation convicted of such violation may be punished by increase fines and confinement in jail for not more than 10 days. Currently, any violation of the Building Code is punishable by a fine of not more than \$2,500.

Patron: Hull

02/16/07 Passed House and Senate

Notes: City Position: Oppose

HB 2793 Display of local license, decals, etc.; exempts certain public service companies.

Summary as passed House:

Local vehicle license. Exempts vehicles owned by a public service company having a fleet of at least 2,500 vehicles garaged in the Commonwealth from having to display any local license, decal, or sticker. Furthermore, no one who has purchased a local vehicle license, decal, or sticker for a vehicle in one locality and moves to another locality can be required to purchase another local license, decal, or sticker from the locality to which he has moved until the expiration date of the local license, decal, or sticker issued by the locality from which he moved.

Patrons: Saxman and Cosgrove

02/19/07 Passed House and Senate

Notes: City Position: Oppose

HB 2845 Emergency preparedness; revisions related to orders of isolation and quarantine.

Summary as passed House:

Orders of isolation and quarantine. Makes several revisions to the procedures related to orders of quarantine and isolation. Also authorizes persons who are otherwise not authorized by law to administer drugs when the Governor has declared a state of emergency and allows for electronic legal filings to protect the public from communicable diseases.

Patron: O'Bannon

02/16/07 Passed House and Senate

Notes: City Position: Support

HB 2871 Trusts, state and local; created to fund postemployment benefits.

Summary as introduced:

Postemployment public benefits. Creates trusts or equivalent arrangements to fund the costs of providing postemployment benefits other than pensions for the Commonwealth and for counties, cities, towns, school divisions, and other political subdivisions of the Commonwealth.

Patron: McEachin

02/06/07 House: Left in Appropriations

Notes: City Position: Support

HB 2891 Absentee voting, in-person; qualified voters may vote at sites provided in locality.

Summary as introduced:

Early voting. Allows any qualified, registered voter to vote in an election in person from 30 to three days before the election at specified times and at the sites provided in the locality.

Patron: Phillips

01/19/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2901 Absentee voting, in-person; qualified voters may vote at sites provided in locality.

Summary as introduced:

Early voting. Allows any qualified, registered voter to vote in person from 17 to three days before an election at specified times and at the sites provided in the locality.

Patrons: Spruill, Armstrong, Jones, D.C., Moran and Ward

01/19/07 House: Passed by indefinitely in Privileges and Elections

Notes: City Position: Support

HB 2923 Human Trafficking, Commission On Prevention of; created, report.

Summary as introduced:

Legislative Commission. Creates a legislative Commission to study human trafficking.

Patrons: Ebbin, Abbitt, Albo, Amundson, BaCote, Brink, Callahan, Caputo, Englin, Hall, Hull, Iaquinto, Johnson, Kilgore, Lingamfelter, Marsden, McEachin, Miller, J.H., Moran, O'Bannon, Plum, Poisson, Rust, Scott, J.M., Sickles, Spruill, Suit, Tyler, Valentine, Ward and Wardrup

02/22/07 Passed House and Senate

Notes: City Position: Support

HB 2930 Business licenses; denied or suspended if business employs unlawful workers.

Summary as introduced:

BPOL; State Licenses. Provides that local business licenses and state licenses shall be denied or suspended if the business employs or uses unlawful workers.

Patrons: Miller, J.H. and Frederick

01/31/07 House: Incorporated by Finance into HB3130, which was defeated

Notes: City Position: Oppose

HB 2931 Immigration status; cooperation with federal officials regarding.

Summary as introduced:

Cooperation with federal officials on immigration status. Prohibits local governments from enacting any ordinance or policy that limits or prohibits a law-enforcement officer or other local official or employee from communicating or cooperating with federal officials with regard to the immigration status of any person within the Commonwealth.

Patrons: Miller, J.H., Athey, Cole, Cosgrove, Frederick, Gear, Hugo, Jones, S.C., O'Bannon and Sherwood

02/06/07 House: Left in Counties, Cities and Towns

Notes: City Position: Oppose

HB 2932 Public schools; proof of immigration status or actual citizenship to enroll, report.

Summary as introduced:

Public school; proof of immigration status. Requires a person enrolling a pupil for the first time to present other proof of actual citizenship or immigration status, if there is no certified copy of a birth certificate or affidavit explaining the absence of a birth certificate. If the child was born outside of the U.S., a parent must present evidence of his own status or citizenship. Requires (i) each school to submit an annual report to the Board of Education listing all of the immigration information obtained; and (ii) the Board of Education to submit an annual report to the Secretary of Education regarding the impact of the quality of education provided to children who are lawful residents of Virginia, because of the enrollment of children who are not lawfully present.

Patrons: Miller, J.H. and Frederick

01/24/07 House: Tabled in Education

Notes: City Position: Oppose

HB 2934 Immigrants; determination of legal domicile.

Summary as introduced:

Requirement of lawful immigration status for state determination of legal domicile.

Provides that a person who is not a citizen or legal resident of the United States, or who is without lawful immigration status, shall not be entitled to classification as a resident of Virginia. For all state determinations where legal residence or legal domicile is required by Virginia law, an individual must be a U.S. citizen, or an alien lawfully present within the United States.

Patrons: Miller, J.H., Athey, Cole, Cosgrove, Frederick, Hugo, Kilgore and Sherwood

01/26/07 House: Incorporated by Courts of Justice into HB2435, which was defeated

Notes: City Position: Oppose

HB 3011 Bonding requirements; facilities dedicated for public use.

Summary as passed House:

Bonding requirements; facilities for public use. Prohibits a local governing body from requiring a developer to furnish a bond for the estimated cost of construction of facilities to be dedicated for public use until construction plans are submitted for the section in which such facilities are to be located.

Patron: Hull

02/16/07 Passed House and Senate

Notes: City Position: Oppose

HB 3081 Power generation facilities; notification of increased operation.

Summary as introduced:

Notification of increased power generation. Requires power generators that have been ordered by the U.S. Department of Energy to increase their power generation to notify persons who have so requested if the increased operation is predicted to cause exceedances of air quality standards.

Patrons: Englin, Ebbin and Moran

02/06/07 House: Left in Agriculture, Chesapeake and Natural Resources

Notes: City Position: Support

HB 3113 Environmental Quality Department; consolidation of boards, change of authority.

Summary as passed:

Department of Environmental Quality. Consolidates the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board into one eleven-member citizen board--the Virginia Board of Environmental Quality--with the authority to adopt regulations, including general permit regulations. All other responsibilities of the existing boards, including the authority to issue licenses and permits, will be transferred to the Department of Environmental Quality. The Department will hold public meetings for the presentation of staff recommendations on major permitting decisions. A citizen appeals board is established and given authority to hear appeals on decisions of the Director of the Department and to recommend reconsideration by the Director. The bill includes a "re-enactment clause" that requires the 2008 Session to reaffirm the legislation and delays the effective date until July 1, 2008.

Patron: Landes

02/16/07 Passed House and Senate

Notes: City Position: Oppose

HB 3202 Transportation funding; authority to certain localities to impose additional fees.

Summary as introduced:

Transportation funding and reform. Provides statewide funding of transportation projects with current funds and new funds; authority to localities in Northern Virginia and Hampton Roads to impose additional fees for transportation; and administrative and efficiency reforms impacting transportation. Authorizes issuance of bonds for statewide transportation funding.

Patrons: Howell, W.J., Albo, Athey, Callahan, Carrico, Cosgrove, Cox, Dudley, Griffith, Hargrove, Hurt, Jones, S.C., Kilgore, Landes, Marshall, D.W., May, Morgan, Orrock, Rust, Suit

02/24/07 Passed House and Senate

Notes: City Position: Seek an amendment that will allow the City maximum flexibility in the use of its transportation funds (i.e., let the City designate sufficient funds for transit). Oppose the movement of \$250 million from the general fund to transportation.

HJ 559 Constitutional amendment; assessments of real property and tax rates (first reference).

Summary as introduced:

Constitutional amendment; real property assessments and tax rates. Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year.

Patron: Frederick

02/06/07 House: Left in Privileges and Elections

Notes: City Position: Oppose

HJ 581 Constitutional amendment; property tax exemption for certain veterans, etc.

Summary as introduced:

Constitutional amendment; property tax exemption for certain veterans. Requires the General Assembly to exempt from taxation the property that is the principal residence of a veteran (or the widow or widower) of the armed forces who has been determined pursuant to federal law to have a one hundred percent permanent and total service-connected disability.

Patrons: Lingamfelter and Frederick

02/06/07 House: Left in Privileges and Elections

Notes: City Position: Oppose

HJ 698 Power plants; Dept. of Health to study public health effects of using trona.

Summary as introduced:

Study; public health effects of trona; report. Requests the Department of Health to study the public health effects of using trona to mitigate emissions in power plants.

Patrons: Englin, Amundson, Callahan, Ebbin, Hall, Hargrove, Moran and Spruill

02/06/07 House: Left in Rules

Notes: City Position: Support

SB 767 Libraries; provides that localities may adopt an ordinance that prohibits firearms.

Summary as introduced:

Control of firearms; libraries. Allows a locality to adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof, in the locality's libraries.

Patron: Locke

01/23/07 Senate: Failed to report (defeated) in Local Government

Notes: City Position: Support

SB 776 Law-Enforcement Officers Procedural Guarantee Act.

Summary as introduced:

Law-Enforcement Officers Procedural Guarantee Act. Makes changes as to the process and procedures afforded to officers under the Act, clarifying several existing rights and setting forth specific procedures for the questioning of officers and the conduct of a disciplinary hearing.

Patrons: Cuccinelli, Deeds, DeVolites Davis, Edwards, Herring, Howell, Lucas, Martin, O'Brien, Puller, Saslaw and Ticer; *Delegates:* Albo, Amundson, Bulova, Callahan, Caputo, Englin, Hugo, Joannou, Miller, P.J., Moran, Plum, Rust, Scott, J.M., Shannon, Sickles, Suit and Watts

01/24/07 Senate: Failed to report (defeated) in Courts of Justice

Notes: City Position: Oppose

SB 789 Postemployment public benefits; creates trusts to fund costs thereof.

Summary as introduced:

State and local trusts for providing postemployment public benefits. Creates trusts or equivalent arrangements to fund the costs of providing postemployment benefits other than pensions for the Commonwealth and its political subdivisions.

Patron: Stosch

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 806 Charitable organizations distributing food to the needy exempt from regulations.

Summary as passed Senate:

Donations of food to charitable organizations. Exempts charitable organizations that engage in food distribution to the needy from state and local regulations and ordinances that govern food service and preparation. Permits the Board of Health to issue advisory standards for food preparation, handling, protection, and preservation. The bill will take effect upon passage.

Patron: Puller

02/20/07 Passed House and Senate

Notes: City Position: Support

SB 920 Absentee voting; qualified voters may vote without a reason.

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day.

Patrons: Howell and Puller; *Delegates:* Amundson, Callahan, Caputo, Hull, Moran, Plum, Rust, Scott, J.M., Sickles and Watts

02/20/07 House: Left in Privileges and Elections

Notes: City Position: Support

SB 924 Law-enforcement escorts; exemptions from obeying regulations.

Summary as introduced:

Law-enforcement escorts. Provides that any federal, state, or local law-enforcement vehicle used in conducting a funeral escort, wide-load escort, dignitary escort, or any other escort shall be

considered an emergency vehicle and is exempt from obeying certain regulations such as speed limit and traffic signals and signs.

Patron: Ticer

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 929 Parental rights; may be terminated based on finding that the parent has abused another child.

Summary as introduced:

Termination of parental rights. Allows the parental rights of a parent, when the child has been placed in foster care, to be terminated based on a finding that the parent has abused or neglected another child. Current law only permits termination upon a finding that the child in question has been abused or neglected. This bill also permits the termination of parental rights of a child less than one year old who is in the custody of a local board or child-placing agency when the parent is incarcerated and expected to remain so for more than one year or when two or more of the parent's other children are in the custody of a local board or child-placing agency. This bill also allows consideration of the efforts made to rehabilitate the parent in response to the parent's abuse and neglect of other children in determining whether to terminate a parent's rights.

Patron: Ticer

02/06/07 Senate: Left in Courts of Justice

Notes: City Position: Support

SB 932 Protective orders; court may include for protection of companion animals and livestock.

Summary as introduced:

Protective orders; companion animals and livestock. Allows a court to include in a protective order provisions for the protection of companion animals and livestock owned by the party, or his family or household members, for whose benefit the protective order was entered.

Patrons: Ticer; *Delegates:* Albo, Eisenberg, Plum, Scott, J.M. and Watts

02/06/07 Senate: Left in Courts of Justice

Notes: City Position: Support

SB 938 Address Confidentiality Program; created.

Summary as introduced:

Address Confidentiality Program; victims of domestic violence. Requires the Statewide Facilitator for Victims of Domestic Violence to establish the "Address Confidentiality Program" to protect victims of domestic violence by authorizing them to use designated addresses.

Patrons: Ticer, Howell and Puller; *Delegates:* Albo, Amundson, Bulova, Caputo, Marsden, Moran, Plum, Scott, J.M. and Watts

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 940 Victims of domestic violence; post office box address to be shown on list of

registered voters.

Summary as passed Senate:

Elections; voter registration lists and applications; victims of domestic violence. Provides that victims of domestic violence reported to law enforcement officers may provide a post office box address, in lieu of a residence address, to be shown on any public list of registered voters.

Patrons: Ticer, Howell and Puller; *Delegates:* Amundson, Bulova, Caputo, Marsden, Moran, Plum, Scott, J.M. and Watts

02/20/07 House: Left in Privileges and Elections

Notes: City Position: Support

SB 971 Sheriff's departments and regional jails; supplemental liability insurance.

Summary as introduced:

Department of Treasury; Division of Risk Management; supplement liability coverage for city and county sheriff's departments. Provides that a sheriff's department of any city or county shall not be precluded from securing supplemental liability insurance coverage beyond the coverage provided by the Division.

Patrons: Howell, Herring and Puller; *Delegates:* Amundson, Bulova, Callahan, Caputo, Marsden, Moran, Plum, Rust, Scott, J.M., Sickles and Watts

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 972 Victim notification; may be made through Statewide VINE or similar system.

Summary as introduced:

Victim notification. States that victim notification currently required by to be made by the Department of Corrections and local and regional jails may be made through the Virginia Statewide VINE (Victim Information and Notification Everyday) or similar or automated system.

Patron: Howell

02/20/07 Passed House and Senate

Notes: City Position: Support

SB 995 Medicaid eligibility; young adults transitioning from foster care.

Summary as passed Senate:

Medicaid eligibility; young adults transitioning from foster care. Requires the Department of Medical Assistance Services to amend the state plan to provide for the payment of medical assistance, pursuant to The Foster Care Independence Act of 1999, for any individual who (i) was receiving foster care services on his eighteenth birthday, (ii) continues to receive independent living services pursuant to § 63.2-905.1, and (iii) has not yet reached his twenty-first birthday. Such individuals shall not be subject to Medicaid income limits. This bill is dependent upon an appropriation of general funds in the 2007 General Assembly session.

Patron: Blevins

02/15/07 House: Tabled in Health, Welfare and Institutions

Notes: City Position: Support

SB 1007 Possession of weapons in law-enforcement facilities.

Summary as passed Senate:

Possession of weapons; law-enforcement facility. Makes it a Class 1 misdemeanor to possess or transport a weapon into any marked, secure area of any law-enforcement facility. A law-enforcement officer or administrator with authority over such facility may consent and authorize a person to bring a firearm into the facility if that officer or administrator is present and an officer accompanies the person with the firearm. Law-enforcement and court officers conducting their official duties are not subject to the prohibition.

Patrons: Saslaw, Howell, Puller and Ticer; *Delegates:* Amundson, Bulova, Caputo, Ebbin, Marsden, Plum, Rust, Scott, J.M. and Watts

02/20/07 House: Left in Militia, Police and Public Safety

Notes: City Position: Support

SB 1020 Retail Sales and Use Tax; increase authorized in Northern Virginia localities.

Summary as introduced:

Sales and use tax; increase authorized in certain localities. Authorizes Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church to impose an additional 0.25% local sales and use tax. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority. The authority to impose this tax is contingent on the appropriation of matching federal funds.

Patron: Whipple

02/07/07 Senate: Left in Finance

Notes: City Position: Support

SB 1027 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants; penalty. Makes it a Class 5 felony to confiscate, withhold or threaten to withhold any actual or purported passport, immigration document, or other government identification document, and thereby extort money, property, or pecuniary benefit or any note, bond, or other evidence of debt from any person,.

Patron: O'Brien

01/17/07 Senate: Incorporated by Courts of Justice (SB815-Cuccinelli)

Notes: City Position: Support

SB 1053 Statewide Building Code; requiring building permits in historic zoning districts.

Summary as introduced:

Uniform Statewide Building Code; regulations; authority of localities; historic districts.

Requires the Board of Housing and Community Development to promulgate regulations as part of the Building Code that authorize a locality to require building permits for the installation of replacement siding, roofing, and windows in buildings within designated historic zoning districts.

Patron: Edwards

02/20/07 House: Left in General Laws

Notes: City Position: Support

SB 1063 Assessment rates; notification for increase.

Summary as passed Senate:

Real estate tax limits. Increases from 7 to 30 days the minimum public notice that a locality must give for a public hearing in which the locality proposes to increase its total real estate tax levies more than 101% of the prior years tax levies, and requires that such notice be posted in the building where the governing body of the locality ordinarily meets, as well as in a newspaper.

Patron: Rerras

02/20/07 Passed House and Senate

Notes: City Position: Oppose

SB 1077 Carbon monoxide detectors.

Summary as passed Senate:

Board of Housing and Community Development; carbon monoxide detectors. Requires the installation of carbon monoxide detectors in college dormitories and assisted living facilities by July 1, 2010. Requires the Board of Housing and Community Development to promulgate regulations to require their installation in new college dormitories and assisted living facilities.

Patrons: Ruff and Bell

02/15/07 House: Passed by in General Laws with letter

Notes: City Position: Support

SB 1082 Courthouse security; increases costs in certain district or circuit court cases.

Summary as passed Senate:

Courthouse security; assessment. Increases from \$5 to \$10 the part of the costs in each criminal or traffic case in district or circuit courts in which the defendant is convicted of a violation of any statute or ordinance that is used to provide and maintain courthouse security.

Patrons: Puckett; Delegate: Bowling

02/20/07 Passed House and Senate

Notes: City Position: Support

SB 1121 Police; expands authority thereof in civil matters.

Summary as introduced:

Powers and duties of police. Gives police authority to deliver, serve, execute, and enforce certain orders of isolation and quarantine and emergency custody orders. Also provides that parties responding to a reciprocal agreement for mutual aid shall be liable to third parties only to the extent permitted under the laws of the state of the party rendering aid.

Patron: Cuccinelli

02/22/07 Passed House and Senate

Notes: City Position: Support

SB 1166 Retirement System; benefits for certain state and local public safety officers.

Summary as passed Senate:

Retirement; benefits for certain state and local public safety officers. Requires localities to provide LEOS retirement benefits or other supplemental retirement benefits that provide a

similar amount of money.

Patrons: Stolle, Hanger, Houck, Obenshain and Stosch

02/23/07 Passed House and Senate

Notes: City Position: Support. Oppose any proposals that would prohibit Alexandria from selecting the LEOS retirement program for its deputy sheriffs in the future.

SB 1227 Extortion; withholding immigration document.

Summary as introduced:

Extortion of immigrants. Provides that any person who confiscates, withholds or threatens to withhold any actual or purported passport, immigration document, or other government identification document, and thereby extorts money, property, or pecuniary benefit or any note, bond, or other evidence of debt from him or any other person, is guilty of a Class 5 felony.

Patrons: Howell, Norment and Stolle; *Delegates:* Hurt and Moran

01/17/07 Senate: Incorporated by Courts of Justice (SB815-Cuccinelli)

Notes: City Position: Support.

SB 1363 Safety inspection stickers and vehicle inspections; required for parked vehicles.

Summary as introduced:

Vehicle safety inspection stickers. Requires vehicles parked on the highways to display vehicle safety inspection stickers.

Patrons: Colgan and Puller; *Delegates:* Lingamfelter, McQuigg and Miller, J.H.

02/19/07 Passed House and Senate; Approved by Governor

Notes: City Position: Support

SB 1393 Libraries; filters for Internet access.

Summary as passed:

Technology protection measures; public libraries. Requires local libraries to include technology protection measures on computers that have Internet access and that are accessible to the public to filter or block Internet access through such computers to child pornography; obscenity; and other materials deemed harmful to juveniles. The bill also requires the policy to include a provision for disabling or bypassing the technology protection measure at the request of a patron in instances of bona fide research or other lawful purposes.

Patrons: Stosch, Obenshain, Bell, Newman, O'Brien and Wampler

02/20/07 Passed House and Senate

Notes: City Position: Oppose

SB 1406 Public Procurement Act; use of design-build construction by local governing body.

Summary as introduced:

Virginia Public Procurement Act; design-build construction. Increases from \$1 million to \$5 million the amount that localities may procure under a fixed price design-build basis.

Patron: Hanger

02/15/07 House: Tabled in General Laws

Notes: City Position: Support

SB 1414 Transportation funding; authorizes localities in Northern Virginia to impose additional fees.

Summary as introduced:

Transportation; supplemental funding for Northern Virginia. Authorizes localities in Northern Virginia to impose additional local fees for transportation purposes.

Patrons: DeVolites Davis and O'Brien

01/31/07 Senate: Incorporated by Transportation (SB1417-Norment)

Notes: City Position: Seek an amendment that will allow the City maximum flexibility in the use of its transportation funds (i.e., let the City designate sufficient funds for transit)

SJ 425 Constitutional amendment; assessments of real property (first reference).

Summary as introduced:

Constitutional amendment (first resolution); property tax assessments. Provides that real property will be assessed at fair market value at the time of purchase plus the fair market value of improvements to the property at the time of the assessment. This resolution has been incorporated into SJR 354.

Patron: Ruff

01/30/07 Senate: Incorporated by Privileges and Elections into (SJ354-Rerras)

Notes: City Position: Oppose as introduced